

Appl. No. : 10/695,523
Filed : October 28, 2003

REMARKS

In response to the Office Action mailed March 31, 2004, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. Applicant would like to thank the Examiner for his careful examination of this application. As a result of the amendments listed above, Claims 1-14 remain pending.

In the changes made by the current amendment, ~~deletions are shown by strikethrough~~, and additions are underlined.

In the Specification

Applicant has amended the specification to update the status of the parent application. As such, the Applicant believes he has addressed the Examiner's objection to the specification and respectfully requests that the objection be withdrawn.

In addition, certain changes of minor character have been made to reflect the renumbering of the figures as required by the Examiner's objection to the drawings. Applicant has also included several sentences to provide context for several of the renumbered, originally filed, figures. Applicant respectfully submits that no new matter is being introduced by way of this amendment.

In the Drawings

The Examiner objected to the drawings because there were multiple drawings with the same numbering. Applicant has renumbered the relevant figures to address the Examiner's objection. In addition, Applicant included numerals for newly renumbered Figures 20B-23B such that the elements of the figures are labeled relative to the specification. As such, Applicant believes he has addressed the Examiner's objection and respectfully requests that the objection to the drawings be withdrawn.

Rejection of Claims 1-12 for Obviousness-Type Double Patenting

The Office Action rejected Claims 1-12 under the non-statutory, obviousness-type double patenting. While Applicant may not agree with the foregoing rejection, in order to progress the prosecution of the present application, Applicant has attached an appropriate Terminal

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Disclaimer. Accordingly, Applicant respectfully requests withdrawal of the non-statutory, obviousness-type double patenting rejection of the claims.

Rejection of Claims 7-12 under §112

Claims 7-12 presently stand rejected under 35 U.S.C. § 112, second paragraph. Applicant has amended the claims to address the antecedent basis issue raised by the Examiner. In the course of his review, Applicant noted other minor misstatements and potential antecedent basis issues in Claims 1 and 7-14. Applicant has corrected these additional issues and respectfully submits that no new matter is being introduced by way of this amendment. Accordingly, Applicant respectfully requests the withdrawal of the §112 rejection and believes the amended claims are in condition for allowance

Claims 13 and 14: Not Addressed in the Office Action

Applicant notes that the Office Action made no mention of Claims 13 and 14. As noted above, Applicant has made several changes of minor character to these claims to avoid future antecedent basis rejections. Applicant respectfully submits that these claims remain in condition for allowance.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Edward A. Schlatter at (949) 721-2821 (direct line), to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or

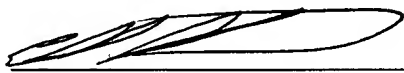
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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 30, 2004

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APPENDIX